

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MAKIKO YAMASHITA,

Plaintiff,

v.

KAIJU STUDIOS LLC, DAVID
BORDEN, RANDY BORDEN
AND FENWAY RECORDINGS,

Defendants.

Civil Action No. 05-10298 RWZ

**ASSENTED-TO MOTION OF FENWAY RECORDINGS TO
ENLARGE TIME IN WHICH TO RESPOND TO COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b), defendant Fenway Recordings, with the assent of plaintiff Makiko Yamashita, hereby moves to enlarge the time in which it has to respond to plaintiff's complaint to September 26, 2005.

On September 8, 2005, while engaged in settlement discussions, Fenway Recordings filed the Assented-to Motion of Fenway Recordings to Enlarge Time in Which to Respond to Complaint, which was assented to by Ms. Yamashita. The Court granted that motion and entered a new deadline of September 16, 2005. Although negotiations between Ms. Yamashita and the defendants have come to a standstill today, Ms. Yamashita's counsel suggested to the defendants that they file an assented-to motion to enlarge the time in which to respond to the complaint until September 26, 2005. The purpose of this extension would be to allow the co-defendants to negotiate among themselves, since such negotiations may obviate the need to file an answer.

WHEREFORE, Fenway Recordings moves that the Court grant an enlargement of time in which Fenway Recordings must respond to plaintiff's complaint to September 26, 2005.

Respectfully submitted,

FENWAY RECORDINGS,

By its attorney,

/s/ Elizabeth H. Cleary
Thomas W. Aylesworth (BBO# 630994)
Elizabeth H. Cleary (BBO# 647221)
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155 Seaport Boulevard
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Assented-To:

MAKIKO YAMASHITA,

By her attorney,

/s/ Heidi E. Harvey
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